



**TERMINAL DISCLAIMER TO OBIVATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)
003797.00060

#8

In re Application of: Kenneth P. HINCKLEY et al.

Application No. 09/804,383

Filed: March 13, 2001

For: METHOD FOR PROVIDING FEEDBACK RESPONSIVE TO SENSING A PHYSICAL PRESENCE PROXIMATE TO A
CONTROL OF AN ELECTRONIC DEVICE

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The owner*, Microsoft Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Number 09/543,723, filed April 5, 2000 and Application Number 09/804,496, filed on March 13, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the secondary applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the secondary applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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2. ☒ The undersigned is an attorney of record.


Signature

02/20/03

Date

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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